OCTOBER 25, 1948.

Per Curiam Decisions.

No. 11. DOUBLEDAY & Co., INC. *v.* NEW YORK. Appeal from the Court of Appeals of New York. Argued October 21, 1948. Decided October 25, 1948. *Per Curiam:* The judgment is affirmed by an equally divided Court. MR. JUSTICE FRANKFURTER took no part in the consideration or decision of this case. *Whitney North Seymour* argued the cause for appellant. With him on the brief was *George G. Gallantz*. *Whitman Knapp* argued the cause for appellee. With him on the brief was *Frank S. Hogan*. *Kenneth W. Greenawalt* filed a brief

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for the American Civil Liberties Union, as *amicus curiae*, urging reversal. Reported below: 297 N. Y. 687, 77 N. E. 2d 6.